



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Behan, D. & Chalmers, D.

EXAMINER: Basi, N.

SER. NO.: 09/060,188

ART UNIT: 1646

FILED: April 14, 1998

FOR: A METHOD OF IDENTIFYING MODULATORS
OF CELL SURFACE MEMBRANE RECEPTORS
USEFUL IN THE TREATMENT OF DISEASE

San Diego, CA
October 14, 1999

SECOND PRELIMINARY AMENDMENT

Sir:

A Preliminary Amendment was filed in this case on June 29, 1998. This is the Second Preliminary Amendment and is being filed to make verbiage-oriented changes to certain of the claims. Statutory "new matter" is not believed to be added by the following.

IN THE CLAIMS

Please amend claim 1 as follows:

1 (Once amended). A method for directly identifying a candidate compound as a compound having activity selected from the group consisting of [an] inverse agonist activity, [a] partial agonist activity and [an] agonist activity, to an orphan receptor, comprising the steps of:

(a) contacting a candidate compound with a constitutively activated orphan receptor; and

(b) determining, by measurement of the compound efficacy at said contacted receptor, whether said compound [is an] has inverse agonist activity, [a] partial agonist activity, or [an] agonist activity [of] to said receptor.

Please amend claim 2 as follows:

2 (Once amended). The method of claim 1 wherein the candidate compound is [determined to be an] directly identified as having inverse agonist activity at [of] said receptor.



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PTO/SB/21 (6-98)

GAU 1646

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/060,188
Filing Date	4/14/98
First Named Inventor	Bahan, Dominic P.
Group Art Unit	1646
Examiner Name	Basi, N.
Attorney Docket Number	

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks: Return postcard (1 page)
Check No. 4779 for \$435.00 (1 page)
Response to Restriction Requirement (2 pages)
~~Photocopy of Preliminary Amendment (4 pages)~~
~~Second Preliminary Amendment (3 pages)~~

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard P. Burgoon, Jr. Reg. No. 34,787
Signature	
Date	October 14, 1999

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

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